

REMARKS

This is in response to the Official Action currently outstanding with respect to the above-identified application, which Official Action the Examiner has designated as being FINAL.

Claims 1-15 were present in this application as of the time of the issuance of the currently outstanding FINAL Official Action. Claims 1, 3, 8 and 14 currently stand rejected and Claims 4-7, 9-13 and 15 stand allowed by the Examiner. By the foregoing Amendment, Applicants propose that Claims 1, 4, 11 and 14 be amended. In addition, Applicants propose that Claim 2 be cancelled, without prejudice, that no new claims be added, and that no claims be withdrawn. Accordingly, in the event that the Examiner grants the entry of the foregoing Amendment, Claims 1 and 3-15 as hereinabove amended will constitute the claims under active prosecution in this application.

The foregoing Amendment sets forth the wording of all of the claims currently pending in this application as it will stand in the event that the Examiner grants the entry of this Amendment as required by the Rules.

More specifically, it is noted that in the currently outstanding Official Action, the Examiner has:

1. Re-acknowledged Applicants' claim for foreign priority under 35 USC §119(a)-(d), and reconfirmed that the required certified copies of the priority document have been received by the United States Patent and Trademark Office.

2. Failed to reconfirm that the drawings filed on 17 February 2004 have been accepted –
Applicants respectfully note for the record that the Examiner accepted the drawings as filed on 17 February 2004 in the previous Official Action dated 21 April 2006 in the above-identified application..

3. Acknowledged Applicant's Information Disclosure Statement of 14 July 2006 by providing Applicants with a copy of the Form PTO/SB/08a/b that accompanied that Statement duly signed, dated and initialed by the Examiner in confirmation of the consideration of the art cited therein.
4. Provided Applicant with a Notice of References Cited (Form PTO-892) and a copy of the cited Japanese references.
6. Rejected Claims 1, 3, 8 and 14 under 35 USC §102(b) as being anticipated by Rutishauser (US Patent 5,842,692).
6. Indicated that Applicant's arguments with respect to Claims 1-3, 8 and 14 have been considered but are moot in view of new ground(s) of rejection.
8. Objected to Claim 2 as being dependent upon a rejected base claim, but indicated that that claim would be allowable if rewritten in independent form including all of the limitations of its respective base claim and any intervening claims
7. Provided Applicants with his Response to their Previous Arguments.

Further comment in these Remarks regarding items 1-4 above is not considered to be necessary in these Remarks.

Applicant appreciates the Examiner's thorough examination of the subject application and respectfully requests reconsideration of the subject application based on the foregoing amendments and the following remarks.

By the foregoing Amendment, Applicants have proposed that Claim 2 be cancelled, without prejudice and that the subject matter of Claim 2 be added to both Claim 1 and Claim 14. Applicant respectfully submits that the entry of such an Amendment will place Claims 1, 3 and 8 in condition for allowance because such an amendment is the equivalent of rewriting Claim 2 in independent form including all of the limitations of its base claim and any intervening claims which the Examiner has indicated would be allowable. Applicants respectfully submit that the same logic that renders Claim 1 with the addition of the subject matter of Claim 2 thereto allowable renders Claim 14 with the subject matter of Claim 2 added thereto allowable.

Hence, by virtue of the foregoing amendment (if it is granted entry by the Examiner), Applicants respectfully submit that Claims 1 and 14 have been placed in condition for allowance by virtue of the Applicants' adoption of the Examiner's suggestion regarding the subject matter of Claim 2, and further that Claims 3 and 8 that depend from Claim 1 are now allowable as well by virtue of that dependency relationship.

The foregoing proposed amendments to Claims 3 and 11 are solely for the purpose of improving the clarity of the phraseology of those claims.

A decision granting entry to the foregoing Amendment, reconsideration and allowance of Claims 1 and 3-15 as they will stand upon the entry of the foregoing Amendment, therefore, is respectfully requested in response to this submission.

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Applicants believe that additional fees are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. 04-1105, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: December 12, 2006

David A. Tucker
SIGNATURE OF PRACTITIONER

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